

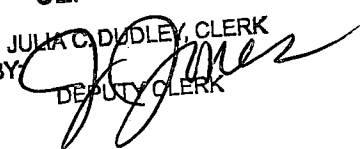
UNITED STATES DISTRICT COURT

Middle District of Florida

Office of the Clerk
801 N. Florida Ave.
Tampa, Florida 33602
(813) 301-5400

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

SEP 30 2019

JULIA C. DUDLEY, CLERK
BY  DEPUTY CLERK

September 24, 2019

Office of the Clerk
United States District Court
Western District of Virginia
255 West Main Street, Room 304
Charlottesville, VA 22902-5047

Re: United States v. Daniel McMahon
Western District of Virginia Case No. 3:19-CR-14
Middle District of Florida Case No. 8:19-mj-2237-T-TGW

Dear Sir or Madam:

Enclosed please find the docket entries for the above-referenced defendant, who was seen for an initial appearance in the Middle District of Florida on a superseding indictment out of your district and ordered detained pending further proceedings in your court.

Sincerely,

s/ Dawn M. Saucier

Dawn M. Saucier
Deputy Clerk

Enclosures

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

COMMITMENT

v.

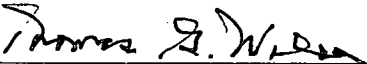
TO ANOTHER DISTRICT

DANIEL MCMAHON

CASE No. 8:19-MJ-2237-T-TGW

CHARGES		
Charging Document	Statute(s)	Charging District
Superseding Indictment	18 U.S.C. 245(b)(1)(A) 18 U.S.C. 245(b)(4) 18 U.S.C. 875 18 U.S.C. 2261A(2)	Western District of Virginia Case No. 3:19-CR-14
Description: Interference with candidate for office; threats in interstate commerce; cyberstalking		

PROCEEDINGS	
CURRENT BOND STATUS: <input checked="" type="checkbox"/> Government moved for detention and defendant detained after hearing in district of arrest <input type="checkbox"/> Government moved for detention and defendant detained pending bond hearing in district of offense <input type="checkbox"/> Other:	
COUNSEL: <input type="checkbox"/> Retained Own Counsel <input type="checkbox"/> Federal Defender Organization <input checked="" type="checkbox"/> CJA Attorney <input type="checkbox"/> None	
INTERPRETER: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Language:	

TO: THE UNITED STATES MARSHAL		
You are hereby commanded to take custody of DANIEL MCMAHON and to transport the defendant with a certified copy of this Commitment Order forthwith to the Charging District and thereafter deliver her to the United States Marshal for that District or to some other officer authorized to receive the defendant.		
SEPTEMBER <u>27</u> , 2019  THOMAS G. WILSON UNITED STATES MAGISTRATE JUDGE		
RETURN		
Commitment Order Received:	Place of Commitment:	Date Defendant Committed:
Date	United States Marshal	By Deputy Marshal

CLOSED

**U.S. District Court
Middle District of Florida (Tampa)
CRIMINAL DOCKET FOR CASE #: 8:19-mj-02237-TGW-1
Internal Use Only**

Case title: USA v. McMahon
Other court case number: 3:19-cr-14 Western District of
Virginia

Date Filed: 09/18/2019
Date Terminated: 09/24/2019

Assigned to: Magistrate Judge Thomas
G. Wilson

Defendant (1)

Daniel McMahon
TERMINATED: 09/24/2019

represented by **Nicholas Gianni Matassini**
Matassini Law Firm, PA
2811 W Kennedy Blvd
Tampa, FL 33609
813/879-6227
Fax: 813/873-2209
Email: ngm@matassinilaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints**Disposition**

18:245.F FEDERALLY PROTECTED
ACTIVITIES, 18:875C.F
INTERSTATE COMMUNICATIONS -
THREATS, 18:2261.F INTERSTATE

DOMESTIC VIOLENCE

Plaintiff

USA

represented by **Daniel George**

US Attorney's Office - FLM

Suite 3200

400 N Tampa St


Tampa, FL 33602-4798

813-274-6028

Email: daniel.george@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Retained*

Date Filed	#	Docket Text
09/18/2019	<u>1</u>	Rule 5(c)(3) Documents Received from Western District of Virginia as to Daniel McMahon. (DMS) (Entered: 09/18/2019)
09/18/2019	<u>2</u>	Arrest (Rule 5(c)(2)) of Daniel McMahon from Western District of Virginia on charges of interference with candidate for elective office; threats in interstate commerce, cyberstalking. (DMS) (Entered: 09/18/2019)
09/18/2019	<u>3</u>	***CJA 23 Financial Affidavit by Daniel McMahon. (DMS) (Entered: 09/18/2019)
09/18/2019	<u>4</u>	ORDER of Appointment of CJA Counsel as to Daniel McMahon: Appointment of Attorney Nicholas Matassini. Signed by Magistrate Judge Thomas G. Wilson on 9/18/2019. (Wilson, Thomas) (Entered: 09/18/2019)
09/18/2019	<u>6</u>	Minute Entry for proceedings held before Magistrate Judge Thomas G. Wilson: Initial Appearance in Rule 5(c)(3) Proceedings as to Daniel McMahon held on 9/18/2019. (DIGITAL) (Interpreter/Language: N/A) (DMS) (Entered: 09/24/2019)
09/22/2019	<u>5</u>	MOTION for Bond by Daniel McMahon. (Matassini, Nicholas) (Entered: 09/22/2019)
09/23/2019	<u>7</u>	Minute Entry for proceedings held before Magistrate Judge Thomas G. Wilson: Detention Hearing as to Daniel McMahon held on 9/23/2019. (DIGITAL) (Interpreter/Language: N/A) (DMS) (Entered: 09/24/2019)
09/24/2019	<u>8</u>	DETENTION ORDER pending trial as to Daniel McMahon (1). Signed by Magistrate Judge Thomas G. Wilson on 9/24/2019. (DMS) (Entered: 09/24/2019)
09/24/2019	<u>9</u>	COMMITMENT TO ANOTHER DISTRICT as to Daniel McMahon. Defendant committed to Western District of Virginia. Signed by

		Magistrate Judge Thomas G. Wilson on 9/24/2019. (DMS) (Entered: 09/24/2019)
09/24/2019	<u>10</u>	TRANSFER Rule(5)(c)(3) to Western District of Virginia as to Daniel McMahon. (DMS) (Entered: 09/24/2019)
09/24/2019		(Court only) ***Terminated defendant Daniel McMahon, pending deadlines, and motions. (DMS) (Entered: 09/24/2019)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CLERK'S MINUTES

CASE No. 8:19-mj-2237-T-TGW

DATE: SEPTEMBER 18, 2019

HONORABLE THOMAS G. WILSON

UNITED STATES OF AMERICA

AUSA DANIEL GEORGE

-v-

DANIEL MCMAHON

CJA NICHOLAS MATASSINI

INTERPRETER: N/A

TIME: 3:48-3:56 (8 min.)

DEPUTY CLERK: DAWN M. SAUCIER

COURT REPORTER: N/A

TAPE: DIGITAL

COURTROOM 12A

PROCEEDINGS: INITIAL APPEARANCE - RULE 5

- X Defendant provided w/copy of Superseding Indictment from Western District of Virginia (Case No. 3:19-cr-14)
- X Arrest Date: 9/18/2019
- X Financial affidavit submitted
- X CJA counsel appointed for purposes of today's hearing
- X Court advises defendant of Rule 20 and Rule 5 rights and charges.
- X Defendant waives identity hearing in this district
- X Detention/Bond:
 - Government: Seeks detention as risk of flight and danger to the community.
 - Defendant: Requests continuance of bond hearing until next week.
 - Court: Detention hearing to be scheduled for Monday, Sept. 23, 2019, at 3:30 p.m.
- X Defendant remanded to custody of U.S. Marshal pending detention hearing

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CLERK'S MINUTES

CASE No. 8:19-mj-2237-T-TGW

DATE: SEPTEMBER 23, 2019

HONORABLE THOMAS G. WILSON

UNITED STATES OF AMERICA

AUSA CARLTON GAMMONS
for DANIEL GEORGE

-v-

DANIEL MCMAHON

CJA NICHOLAS MATASSINI

INTERPRETER: N/A

TIME: 3:58-5:00 (1 hr. 2 min.)

COURT REPORTER: N/A

TAPE: DIGITAL

DEPUTY CLERK: DAWN M. SAUCIER

COURTROOM 12A

PROCEEDINGS: DETENTION HEARING

Government: Requests detention as risk of flight and danger to the community. Government calls FBI Special Task Force Officer Siobhan Meseda. Witness sworn. Direct examination by government. Cross-examination by defense counsel. Witness excused. Government introduces Composite Exhibit 1.

Defendant: Requests conditions of release as set forth in motion. Calls Paul McMahon, defendant's father. Witness sworn. Direct examination by defense counsel. Cross-examination by government. Witness excused.

Closing argument by defendant. Defendant willing to undergo mental health evaluation and abide by and conditions imposed by the court.

Closing argument by the government.

Court: Defendant to be detained as danger to the community.

Defendant remanded to custody of U.S. Marshal.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE No. 8:19-mj-2237-T-TGW

DANIEL MCMAHON

ORDER OF DETENTION

THIS CAUSE came to be heard upon the defendant's Motion for Pretrial Release (Doc. 5), which was filed after a requested continuance of the defendant's detention hearing. Because I find clear and convincing evidence that the defendant presents a danger to the safety of an individual and to the community, he should be detained without bail.

The Government requested detention pursuant to 18 U.S.C. 3142(f)(1)(A) involving a crime of violence. Contrary to the defendant's argument, the charge in Count Three, which alleges the transmission in interstate commerce of a communication containing a threat to injure an individual, constitutes a crime of violence. A "crime of violence" is defined in 18 U.S.C. 16(a) as an offense that has as an element the threatened use of physical force against a person. Count Three falls into that category.

To detain the defendant on the basis of a danger to an individual, the government must make a showing by clear and convincing evidence. The government presented evidence showing that the defendant has a mentally unstable hatred of blacks, Jews, and gays, as the defendant's mother told an FBI Task Force agent. This was further confirmed by the defendant's vile Internet postings. Those posting reflect an irrational view of those groups. Included among the postings were comments by the defendant commending mass murderers.

The defendant also possessed a number of firearms, thereby demonstrating that the risk of dangerousness is real. There was some dispute whether the FBI had seized all of the defendant's firearms, but the evidence showed the defendant clearly has the opportunity to obtain firearms from various sources.

At this point, the defendant's irrational hatred of blacks, Jews, and gays, along with his ability to obtain firearms, presents a clear and convincing danger that his mental instability will cause him to engage in acts of violence. Accordingly, the defendant should be detained.

It is, therefore, upon consideration,

ORDERED:

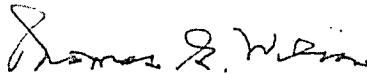
1. That the defendant DANIEL MCMAHON shall be **DETAINED** without bail.

2. That the defendant is hereby **COMMITTED** to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

3. That the defendant shall be afforded reasonable opportunity for private consultation with counsel.

4. That the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to the United States Marshal for the purpose of appearing in court.

DONE and ORDERED at Tampa, Florida, this 24th day of September, 2019.



THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES ☐ DISTRICT COURT ☐ COURT OF APPEALS ☐ OTHER (Specify below)

IN THE CASE OF

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

Daniel William McMahon

CHARGE/OFFENSE (describe if applicable & check box →) ☐ Felony ☐ Misdemeanor

- 1 ☐ Defendant - Adult
- 2 ☐ Defendant - Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Supervised Release Violator
- 5 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

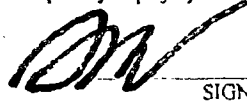
DOCKET NUMBERS
Magistrate Judge
District Court
Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Self-Employed
		Name and address of employer: _____
		IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment? _____ How much did you earn per month? \$ _____
		If married, is your spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? \$ _____
	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input type="checkbox"/> No
		RECEIVED SOURCES
		IF YES, give the amount \$ _____ received and identify the \$ _____ sources \$ _____
	CASH	Do you have any cash on hand or money in savings or checking accounts? <input type="checkbox"/> Yes <input type="checkbox"/> No IF YES, total amount? \$ _____
	PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input type="checkbox"/> No
		VALUE DESCRIPTION
		IF YES, give value and description for each \$ _____ \$ _____ \$ _____ \$ _____

OBLIGATIONS & DEBTS	DEPENDENTS	<input checked="" type="checkbox"/> MARITAL STATUS Single Married Widowed Separated or Divorced	List persons you actually support and your relationship to them Total No. of Dependents 0
	DEBTS & MONTHLY BILLS (Rent, utilities, loans, charge accounts, etc.)	DESCRIPTION	TOTAL DEBT \$ _____ \$ _____ \$ _____ \$ _____
			MONTHLY PAYMENT \$ _____ \$ _____ \$ _____ \$ _____

I certify under penalty of perjury that the foregoing is true and correct.


SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

9/18/19
Date